

Clear Form

FILED

AUG 30 2016

**SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

LB

Jan Van Dusen,

Plaintiff,

vs.

Catherine D. Purcell, et al.,

Defendant.

CV16

CASE NO.

4976

**APPLICATION TO PROCEED
IN FORMA PAUPERIS
(Non-prisoner cases only)**

I, Jan Van Dusen, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes ☒ No ☐

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: 953.04/month average 2016 Net: 790.94/month average 2016

Employer: Home Depot, 1933 Davis Street, San Leandro, CA 94577

If the answer is "no," state the date of last employment and the amount of the gross and net salary

1 and wages per month which you received.

2 _____

3 _____

4 _____

5 2. Have you received, within the past twelve (12) months, any money from any of the
6 following sources:

- 7 a. Business, Profession or Yes 4 No ____
8 self employment?
- 9 b. Income from stocks, bonds, Yes ____ No 4
10 or royalties?
- 11 c. Rent payments? Yes 4 No ____
- 12 d. Pensions, annuities, or Yes ____ No 4
13 life insurance payments?
- 14 e. Federal or State welfare payments, Yes 4 No ____
15 Social Security or other govern-
16 ment source?

17 If the answer is "yes" to any of the above, describe each source of money and state the amount
18 received from each.

19 \$130 practice project for potential employer. \$1433/mo. social security. \$600 "rent" spent
20 on food/utilities, BART & buses (car died), portable scanner for federal case exhibits.

21 3. Are you married? Yes ____ No 4

22 Spouse's Full Name: _____

23 Spouse's Place of Employment: _____

24 Spouse's Monthly Salary, Wages or Income:

25 Gross \$ _____ Net \$ _____

26 4. a. List amount you contribute to your spouse's support:\$ _____

27 b. List the persons other than your spouse who are dependent upon you for support
28 and indicate how much you contribute toward their support. (NOTE: For minor

children, list only their initials and ages. DO NOT INCLUDE THEIR NAMES.)

5. Do you own or are you buying a home? Yes 4 No

Estimated Market Value: \$ 400,000 Amount of Mortgage: \$ 205,000

6. Do you own an automobile? Yes 4 No

Make Cadillac Year 2001 Model Catera

Is it financed? Yes No 4 If so, Total due: \$ (recent gift after car died)

Monthly Payment: \$ 0.00

7. Do you have a bank account? Yes 4 No (Do not include account numbers.)

Name(s) and address(es) of bank: Chase Bank, 5747 Christie Ave., Emeryville, CA
94608.

Present balance(s): \$ In & Out

Do you own any cash? Yes No 4 Amount: \$

Do you have any other assets? (If "yes," provide a description of each asset and its estimated market value.) Yes No

Old computer, printer, scanner & household furniture and furnishings

8. What are your monthly expenses?

Rent: \$ 1316.37 incl late fee Utilities: 410.00

Food: \$ 500.00 Clothing: 25.00

Charge Accounts:

<u>Name of Account</u>	<u>Monthly Payment</u>	<u>Total Owed on This Account</u>
<u>CapitalOne</u>	<u>\$ 25.00</u>	<u>\$ 275.52</u>
<u> </u>	<u>\$ </u>	<u>\$ </u>
<u> </u>	<u>\$ </u>	<u>\$ </u>

9. Do you have any other debts? (List current obligations, indicating amounts and to whom they are payable. Do not include account numbers.)

See attached I&E, the latest one filed in my criminal case 169934 in Alameda County. My

1 earnings have apparently decreased this year: see attached latest pay stub.

2 10. Does the complaint which you are seeking to file raise claims that have been presented in
3 other lawsuits? Yes ___ No 4

4 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in
5 which they were filed.

6
7
8 I declare under the penalty of perjury that the foregoing is true and correct and understand that a
9 false statement herein may result in the dismissal of my claims.

10
11 8/5/2016

12 DATE

Jan Van Dusen

13 SIGNATURE OF APPLICANT
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EARNINGS STATEMENT (US)

HOME DEPOT U.S.A., INC.
STORE SUPPORT CENTER
2455 PACES FERRY ROAD
ATLANTA, GA 30339

PAY PERIOD BEGIN: 07/18/2016
PAY PERIOD END: 07/31/2016
ADVICE DATE: 08/05/2016
ADVICE NUMBER: 016561951

AVAILABLE SICK AS OF 07/31/2016: 34:00 HOURS
AVAILABLE VACATION AS OF 07/31/2016: 20:00 HOURS

ASSOCIATE NAME: JAN VAN DUSEN

ASSOCIATE ID: 129676094

TAX STATUS NUMBER EXEMPT ADD'L W/H

FICA-MED		0	.00	GROSS WAGES:	600.88
U.S. FICA		0	.00	NET WAGES:	491.59
FED INC TX	S	1	.00	NET PAY:	491.59
CALIFORNIA	B	1	.00		
CASDI	S	0	.00		

GROSS WAGES				
DESCRIPTION	RATE	HOURS	CURRENT	YEAR-TO-DATE
REGULAR	11.00	47.50	522.50	9725.28
OVERTIME	16.50	1.75	28.88	307.88
REG ADJUST	.00	.00	.00	60.46
TOTAL WORKED HOURS:		49.25		
PERSONAL	11.00	4.50	49.50	49.50
S SHARING	.00	.00	.00	404.64
HOLIDAY	.00	.00	.00	174.00
SICK	.00	.00	.00	302.50
LATE MEAL	.00	.00	.00	120.47
TOTAL GROSS WAGES:			600.88	11144.73

PRE TAX DEDUCTIONS, CREDITS AND OTHER COMPENSATION/BENEFITS		
DESCRIPTION	CURRENT	YEAR-TO-DATE
VISION PT	-7.89	-89.76
DENTAL PT	-16.32	-185.60
TOTAL:	-24.21	-275.36

AFTER TAX DEDUCTIONS		
DESCRIPTION	CURRENT	YEAR-TO-DATE
HOMER FUND	-1.00	-111.00
TOTAL:	-1.00	-111.00

EARNINGS STATEMENT (US)

TAXES		
DESCRIPTION	CURRENT	YEAR-TO-DATE
FICA-MED	-8.37	-157.61
U.S. FICA	-35.75	-673.90
FED INC TX	-33.44	-811.72
CALIFORNIA	-1.33	-75.25
CASDI	-5.19	-97.82
TOTAL:	-84.08	-1816.30

ACCOUNT NUMBER	TRANSIT	ABA	AMOUNT
*****0118	3222	71627	491.59

PHONE	EMAIL	WEBSITE	IMPORTANT NOTES
1-866-MYTHDHR (698-4347)	MYTHDHR@HOMEDEPOT.COM	WWW.MYTHDHR.COM	WELLS FARGO BANK 1 MONTGOMERY ST SAN FRANCISCO, CA 94104

FL-150

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Jan Van Dusen 1501 Magnolia Street Oakland, CA 94607		FOR COURT USE ONLY
TELEPHONE NO.: 510-689-6541 E-MAIL ADDRESS (Optional): janvandusen@gmail.com ATTORNEY FOR (Name): Self-Represented for purposes of this document		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA STREET ADDRESS: 1225 Fallon Street MAILING ADDRESS: CITY AND ZIP CODE: Oakland, CA 94612 BRANCH NAME: Davidson Courthouse		
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: Jan Van Dusen OTHER PARENT/CLAIMANT:		
INCOME AND EXPENSE DECLARATION		CASE NUMBER: 169934

1. Employment (Give information on your current job or, if you're unemployed, your most recent job.)

Attach copies of your pay stubs for last two months (black out social security numbers).

- Employer: **Home Depot**
- Employer's address: **1933 Davis Street, San Leandro**
- Employer's phone number: **510-636-9600**
- Occupation: **Cashier, part-time**
- Date job started: **1/19/2015**
- If unemployed, date job ended:
- I work about **20-29** hours per week.
- I get paid \$ **10.97** gross (before taxes) ☐ per month ☐ per week ☒ per hour.

(If you have more than one job, attach an 8½-by-11-inch sheet of paper and list the same information as above for your other jobs. Write "Question 1—Other Jobs" at the top.)

2. Age and education

- My age is (specify): **64**
- I have completed high school or the equivalent: ☒ Yes ☐ No If no, highest grade completed (specify):
- Number of years of college completed (specify): **4** ☒ Degree(s) obtained (specify): **B.A. English literature**
- Number of years of graduate school completed (specify): ☒ Degree(s) obtained (specify): **J.D.**
- I have: ☒ professional/occupational license(s) (specify): **Member, State Bar of California**
☐ vocational training (specify): **(above license suspended intermily)**

3. Tax Information

- ☒ I last filed taxes for tax year (specify year): **2014**
- My tax filing status is ☒ single ☐ head of household ☐ married, filing separately
☐ married, filing jointly with (specify name):
- I file state tax returns in ☒ California ☐ other (specify state):
- I claim the following number of exemptions (including myself) on my taxes (specify): **1**

- 4. Other party's income.** I estimate the gross monthly income (before taxes) of the other party in this case at (specify): \$
 This estimate is based on (explain):

(If you need more space to answer any questions on this form, attach an 8½-by-11-inch sheet of paper and write the question number before your answer.) Number of pages attached: _____

I declare under penalty of perjury under the laws of the State of California that the information contained on all pages of this form and any attachments is true and correct.

Date: **February 17, 2016**
Jan Van Dusen

(TYPE OR PRINT NAME)


 (SIGNATURE OF DECLARANT)

FL-150

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: Jan Van Dusen OTHER PARENT/CLAIMANT:	CASE NUMBER: 169934
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Attach copies of your pay stubs for the last two months and proof of any other income. Take a copy of your latest federal tax return to the court hearing. (Black out your social security number on the pay stub and tax return.)

5. **Income** (For average monthly, add up all the income you received in each category in the last 12 months and divide the total by 12.)
- | | Last month | Average monthly |
|--|------------------|-----------------|
| a. Salary or wages (gross, before taxes) | \$ <u>Varies</u> | <u>1365</u> |
| b. Overtime (gross, before taxes) | \$ <u>0</u> | <u>0</u> |
| c. Commissions or bonuses | \$ <u>0</u> | <u>0</u> |
| d. Public assistance (for example: TANF, SSI, GA/GR) <input type="checkbox"/> currently receiving | \$ <u>0</u> | <u>0</u> |
| e. Spousal support <input type="checkbox"/> from this marriage <input type="checkbox"/> from a different marriage | \$ <u>0</u> | <u>0</u> |
| f. Partner support <input type="checkbox"/> from this domestic partnership <input type="checkbox"/> from a different domestic partnership | \$ <u>0</u> | <u>0</u> |
| g. Pension/retirement fund payments | \$ <u>0</u> | <u>0</u> |
| h. Social security retirement (not SSI) | \$ <u>1433</u> | <u>1432</u> |
| i. Disability: <input type="checkbox"/> Social security (not SSI) <input type="checkbox"/> State disability (SDI) <input type="checkbox"/> Private insurance | \$ <u>0</u> | <u>0</u> |
| j. Unemployment compensation | \$ <u>0</u> | <u>0</u> |
| k. Workers' compensation | \$ <u>0</u> | <u>0</u> |
| l. Other (military BAQ, royalty payments, etc.) (specify): | \$ <u>0</u> | <u>0</u> |
6. **Investment income** (Attach a schedule showing gross receipts less cash expenses for each piece of property.)
- | | | |
|-------------------------------------|-------------|----------|
| a. Dividends/interest | \$ <u>0</u> | <u>0</u> |
| b. Rental property income | \$ <u>0</u> | <u>0</u> |
| c. Trust income | \$ <u>0</u> | <u>0</u> |
| d. Other (specify): | \$ <u>0</u> | <u>0</u> |
7. **Income from self-employment, after business expenses for all businesses.** \$ 0 0
- I am the ☐ owner/sole proprietor ☐ business partner ☐ other (specify):
Number of years in this business (specify):
Name of business (specify):
Type of business (specify):
- Attach a profit and loss statement for the last two years or a Schedule C from your last federal tax return. Black out your social security number. If you have more than one business, provide the information above for each of your businesses.
8. ☐ **Additional income.** I received one-time money (lottery winnings, inheritance, etc.) in the last 12 months (specify source and amount):
9. ☐ **Change in income.** My financial situation has changed significantly over the last 12 months because (specify):
10. **Deductions**
- | | Last month |
|---|--------------|
| a. Required union dues | \$ <u>0</u> |
| b. Required retirement payments (not social security, FICA, 401(k), or IRA) | \$ <u>0</u> |
| c. Medical, hospital, dental, and other health insurance premiums (total monthly amount) | \$ <u>51</u> |
| d. Child support that I pay for children from other relationships | \$ <u>0</u> |
| e. Spousal support that I pay by court order from a different marriage | \$ <u>0</u> |
| f. Partner support that I pay by court order from a different domestic partnership | \$ <u>0</u> |
| g. Necessary job-related expenses not reimbursed by my employer (attach explanation labeled "Question 10g") | \$ <u>0</u> |
11. **Assets**
- | | Total in&out |
|---|--------------|
| a. Cash and checking accounts, savings, credit union, money market, and other deposit accounts | \$ <u>0</u> |
| b. Stocks, bonds, and other assets I could easily sell | \$ <u>0</u> |
| c. All other property, <input checked="" type="checkbox"/> real and <input checked="" type="checkbox"/> personal (estimate fair market value minus the debts you owe) | \$ <u>0</u> |

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PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: Jan Van Dusen OTHER PARENT/CLAIMANT:	CASE NUMBER: 169934
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12. The following people live with me:

Name	Age	How the person is related to me? (ex: son)	That person's gross monthly income	Pays some of the household expenses?
a. None				<input type="checkbox"/> Yes <input type="checkbox"/> No
b.				<input type="checkbox"/> Yes <input type="checkbox"/> No
c.				<input type="checkbox"/> Yes <input type="checkbox"/> No
d.				<input type="checkbox"/> Yes <input type="checkbox"/> No
e.				<input type="checkbox"/> Yes <input type="checkbox"/> No

13. Average monthly expenses ☐ Estimated expenses ☒ Actual expenses ☐ Proposed needs
- a. Home:
- (1) ☐ Rent or ☒ mortgage... \$ 1344
- If mortgage:
- (a) average principal: \$ 244
- (b) average interest: \$ 407
- (2) Real property taxes \$ 637
- (3) Homeowner's or renter's insurance (if not included above) \$
- (4) Maintenance and repair \$ 25
- b. Health-care costs not paid by insurance... \$ 193
- c. Child care \$ 0
- d. Groceries and household supplies. \$ 500
- e. Eating out. \$ 10
- f. Utilities (gas, electric, water, trash) \$ 350
- g. Telephone, cell phone, and e-mail \$ 60
- h. Laundry and cleaning \$ 0
- i. Clothes \$ 0
- j. Education \$ 0
- k. Entertainment, gifts, and vacation. \$ 0
- l. Auto expenses and transportation (insurance, gas, repairs, bus, etc.) \$ 400
- m. Insurance (life, accident, etc.; do not include auto, home, or health insurance)... \$ 0
- n. Savings and investments. \$ 0
- o. Charitable contributions. \$ 43
- p. Monthly payments listed in item 14 (itemize below in 14 and insert total here)... \$ 200
- q. Other (specify): \$
- r. **TOTAL EXPENSES (a-q) (do not add in the amounts in a(1)(a) and (b))** \$ 3125
- s. Amount of expenses paid by others \$ 0

14. Installment payments and debts not listed above

Paid to	For	Amount	Balance	Date of last payment
Franchise Tax Board	Court fees, back taxes	\$ 25	\$ 32,000+	1/2016
Internal Revenue Service	Back taxes	\$ 50	\$ 84,000+	1/2016
Earth Circles Counseling	Court-ordered counseling	\$ 86	\$ 0	2/2016
Central Collections	Restitution	\$ 10	\$ 50,000+	1/2016
Wells Fargo	Mortgage late fees	\$ 28.03	\$ 168.18	1/2016
Transcripts, Pacer fees, etc.	Federal & SB litigation	\$ Varies	\$	8/2015

15. Attorney fees (This is required if either party is requesting attorney fees.):

- a. To date, I have paid my attorney this amount for fees and costs (specify): \$ Not applicable
- b. The source of this money was (specify): Legal research program, cell phone paid by others, not listed
- c. I still owe the following fees and costs to my attorney (specify total owed): \$
- d. My attorney's hourly rate is (specify): \$

I confirm this fee arrangement.

Date:

(TYPE OR PRINT NAME OF ATTORNEY)

(SIGNATURE OF ATTORNEY)

Attachment to FL-150
February 19, 2016
Van Dusen, Jan

1. (Continued) I recently got a raise to \$10.97 per hour. I usually work between 20 and 29 hours per week, but several weeks I only worked 15 hours.

5.(a) My wages from my job have to cover everything except my mortgage. If I were not receiving social security benefits, I would be homeless. Since my recent mortgage increase, my social security check covers my mortgage and my payments to IRS and FTB for back taxes owing, and my medical insurance expense must now be paid out of my wages. As of my 12/24/2015 paycheck, I had worked about 11.5 months for Home Depot, averaging \$1365 gross income per month. Net income averaged \$1101.¹ Subtracting the medical insurance expense, I have even less disposable income now than I did between 2011 and 2014.

5.(h) I began drawing social security in September 2014 when my bar card was “interimly” suspended and I was unable to find alternate employment. I had no other means of support through the following January. As I recall, I was threatened with shutoff of my water and power just before I got the Home Depot job.

10.c. I signed up for dental insurance (\$34.40/month) and vision insurance (\$16.64/month) through my employer in late 2015.

11.c. I owe approximately \$205,000 on my house, which I believe may be worth \$300,000 at this time. (The assessor’s valuation is inaccurate; I successfully contest it annually.) I am informed and believe that the IRS and FTB have combined claims of over \$118,000 and that they have filed liens.

13. These are my “actual expenses” and my “proposed needs,” as obviously I do not have enough income to pay even these minimal expenses.

13.a.(1) My mortgage payment increased to \$1316.37, including the \$28 late fee that I incur every month. Currently I owe \$168 in unpaid late fees, on which I am paying monthly. I am unable to pay my mortgage until my social security benefit arrives, which is *after* my mortgage payment is due.

13.a.(2) \$637 of my mortgage payment is labeled “escrow,” which includes taxes and insurance.

13.b. Health insurance premium \$138 through Covered California. My employer does not offer health insurance to part-time employees. Prescription and OTC drugs (\$35/month), lab tests, co-

¹ I am not currently able to calculate actual monthly income from biweekly pay records that vary significantly.

Attachment to FL-150
 February 19, 2016
 Van Dusen, Jan

pays estimated at \$55 per month. I pay health insurance and prescriptions but cannot afford co-pays. If I need to see a doctor I have to try to find the money. I was unable to keep an appointment scheduled by my doctor in November because I did not have \$45. I also owe Quest Diagnostics \$45 for blood tests from October. The main thyroid test was omitted somehow from the testing ordered, and I may have to pay another co-pay for that the next time I can afford to see the doctor.

Not included: I need hearing aids for any job in which I interact with people. I had been using hearing aids that do not fit my loss ("profound") until one of them broke in early 2015. The cost of repair would be \$400, which I do not have. Hearing aids for my loss cost between \$2000 and \$6000, depending on the aid and the provider.

13.g. I am currently borrowing a cell phone without internet access. Because my phone is a 3G phone on a 4G network, sometimes I miss important messages or get them hours late, including calls from work asking me to work an earlier schedule. I need a decent cell phone. A lot of my value to my employer is my willingness to work whenever they need me and my ability to get there quickly. I need this job; very few employers will hire felons.

13.i. I was unable to purchase clothing for 4-5 years and I've run out of nearly everything. I need work clothing and shoes, especially, as soon as possible.

13.l. My car will not pass smog in October 2016. I need to buy a used car to replace it in order to commute to work. My car smokes on startup and leaks transmission fluid and oil; and my mechanic says the fuel pump is about to fail, based on a symptom I reported to him. I will need to make car payments, probably at a high interest rate, as I have no savings and poor credit. Without the assistance of my mechanic, a former client whom I agreed to represent in exchange for mechanic services, my car would not be running.

13.n. I have not had savings or investments since 2008 or before.

13.o. I donate \$20 per pay period to an employer-run charity.

14. NOT SHOWN: \$138.34 past due to Blue Shield (January payment), \$64.76 past due to PG&E, \$100+ past due to EBMUD.

Explanation: My last December check was smaller than usual because I had missed several shifts due to illness. I was unable to make some of my regular payments, mostly for utilities. I got a notice from PG&E in January and had to pay over \$100 to avoid shutoff (used

Attachment to FL-150
 February 19, 2016
 Van Dusen, Jan

heat during extremely cold weather). Again I was unable to pay some of my regular expenses, and now I am behind on my EBMUD bill as well as my PG&E bill. Blue Shield rejected my January premium payment for some reason. I used the money to purchase a prescription that I had run out of, but I still owe Blue Shield for January 2016.

FTB. I pay \$25 per month which is allocated to probation restitution. As of February 12, 2015, I owed the California Franchise Tax Board \$29,413.35 in unpaid taxes, penalties and interest. The person with whom I spoke was Maria Romero at 916-845-4898. In addition, almost \$3,000 in court and probation fees was referred to FTB for collection by Alameda County after I was unable to make payments due to the loss of my job in September 2014, when my license to practice law was interimly suspended.

IRS. I pay \$50 per month. As of February 24, 2015, I owed the Internal Revenue Service \$84,090.92 in unpaid taxes, penalties and interest. The woman with whom I spoke gave me her identification number, 1001746924.

Earth Circles Counseling Center. I was ordered to seek counseling under Penal Code § 597(h). The court refused to fund its order as required by the statute, although it was obvious that I could not afford to pay. Earth Circles kindly agreed to provide counseling temporarily for less than its usual rate, and I have been in counseling for many months.

Central Collections. I am sending \$10 per month right now. However, if my court-ordered evaluation and counseling (per Penal Code § 597(h)) were provided at county expense as required by the statute, the funds I spend on counseling could be used to pay restitution. My probation officer suggested that my counseling could be obtained from a county vendor, which I have requested. I had no probation officer before, and in previous discussions with probation department staff I was told that Alameda County does not provide evaluation or counseling.

Costs, Pacer fees, legal research, State Bar mandates. Periodically I need to pay various fees and costs associated with my state bar interim suspension, related state bar actions, and my federal lawsuit. The expenses listed do not include office expenses, such as toner, paper, etc. In May and June 2015, I paid for a hearing transcript at a cost of nearly \$50; and in August I paid \$71 to Pacer in order to be able to continue to view documents online. In September and November 2014, I paid well over \$100 in postage fees, for service of notice of my interim

Attachment to FL-150
February 19, 2016
Van Dusen, Jan

suspension, required by State Bar rules. My only income at the time was social security of about \$1400 per month.

Other debts:

- In December 2015 I was ordered to pay \$40,000 restitution to the City of Oakland.
- In June 2015 I was ordered to pay \$10,000 restitution to Brighthaven.
- Alameda County claims that I owe more than \$2,000 for health services rendered after I was informed that I qualified for MediCal coverage. I had no means to pay.
- The Franchise Tax Board was referred fines and probation fees of nearly \$3000 in November or December 2014, for which I make monthly payments. At the time I had only my social security income and was unable to pay basic living expenses.
- I owe Christine Lau approximately \$1500 plus interest from 2010, for funds borrowed to pay for necessities such as utilities and food.
- I owe Kristina Felix approximately \$1500 plus interest from 2010, for funds borrowed to pay for necessities such as utilities and food.
- I owe Highland Hospital \$2000 plus interest from 2008 for emergency medical treatment.*
- I owe Acme Construction approximately \$3300 plus interest from 2009 for a security gate at my home.*
- I owe Dr. Carlos Yang approximately \$7,000 plus interest from 2009, for veterinary services to my animals.

END



Interest Rate Adjustment Notice Reminder

January 21, 2016

04338

Jan E. Van Dusen
1501 Magnolia Street
Oakland, CA 94607

Subject: Notice of interest rate increase on your modified mortgage

Dear Jan E. Van Dusen:

We're writing with an important reminder about the upcoming interest rate increase that was part of the terms of your step-rate mortgage modification agreement. The following information explains the changes you can expect.

Understanding how your interest rate will change

When your mortgage was modified, you received a step-rate modification. As stated in your modification agreement, at the end of the initial fixed-rate term, your interest rate will increase each year until it reaches the interest rate cap. Here's how your step-rate modification works:

- Your interest rate started off lower than the then-current market rate and remains at that same interest rate for 5 years.
- At the end of 5 years, the interest rate will increase according to the schedule in your modification agreement, which is a maximum increase of 1% every year, until the interest rate reaches the interest rate cap on March 1, 2018. The interest rate cap equals the market rate of interest charged by mortgage lenders on the day your final mortgage modification agreement was prepared. When the interest rate reaches the interest rate cap, it will remain fixed for the remainder of your loan modification term, per your modification agreement.

Information on your new interest rate and payment

Please review the information below that includes the details of your upcoming step-rate adjustment under the terms of your mortgage modification.

	Current	New	Effective Date
Interest Rate	2.00%	3.00%	3/1/2016
Principal	\$288.40	\$244.42	
Interest	\$272.22	\$406.89	
Escrow	\$637.03	\$637.03	
Total Payment	\$1,197.65	\$1,288.34	04/01/2016

Important information about your new payment

- Your new monthly payment is effective on April 1, 2016 based on your new interest rate which becomes effective March 1, 2016. This payment is based on a predetermined calculation that was included in your current mortgage modification. The allocation between principal and interest amounts may adjust based on the outstanding principal balance and the terms of the mortgage modification.
- The monthly payment includes an escrow amount that will be used to pay your property taxes, hazard insurance, and other escrowed expenses. Your new total monthly mortgage payment may be subject to further change if the escrow amount needed to cover taxes and insurance is adjusted.